

R E M A R K S

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. Claims 1-14 were previously pending in this application. Claims 1-14 are rejected. Accordingly, Claims 1-14 are now pending in this application.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,970,133 issued to Salimando in view of U.S. Patent No. 6,289,090 issued to Tessler et al. (hereinafter "Tessler"). The Applicants respectfully traverse this rejection.

The present invention is directed to an audible confirmation system that utilizes an intelligent network architecture 100. The intelligent network architecture 100 includes data links (indicated by solid lines in Figure 1) and control links (indicated by dashed lines in Figure 1). A signal control point 110 provides control signals via the control links. These control signals are directed to a calling name database 130, switches 150 and 160, and a text to speech converter 140. Data links are provided for voice, or audio transmission. The caller 170, the switches 150 and 160, the calling name database 130, and the text to speech converter 140 are all coupled using data links. The signal control point 110 is not directly coupled to either the caller 170, the switches 150 and 160, the calling name database 130, or the text to speech converter 140 using a data link. The signal control point is independent of a call routing path (from the caller 170, through the switches 150 and/or 160, to a called party), and the signal control point is independent of any data paths (data links) between the calling party 170, the calling name database 130, and the text to speech converter 140.

Salimando teaches a communication network including an exchange carrier network 10, a calling router 50 connected to a calling party 70, and a called router 60 connected to a called party 80. The exchange carrier network includes a switching system 20 that performs call processing and routing functions for calling party 70 and called party 80. A calling party 70 initiates a call through the calling router 50. The switching system 20 receives the call, extracts call information from the call, and accesses information from a database 40 specific to the called

party 80. A portion of the accessed information is passed to an announcement system 30 to be converted from text to voice signals. In other words, data is passed over a data path from the database 40 to the switching system 20 to the announcement system 30. The switching system 20 connects the announcement system 30 via the calling router 50 to the calling party 70. The announcement system 30 transmits the converted voice signals to the calling party 70. In other words, the converted voice signals are transmitted over a data path from the announcement system 30 to the switching system 20 to the calling party 70. In summary, data paths connect the database 40, the switching system 20, the announcement system 30, and the calling party 70 to transmit converted voice signals from the announcement system 30 and information accessed from the database 40.

Within the Office Action, it is stated that the database 40 of Salimando is analogous to the claimed database of the present invention. It is also stated that the database 40 of Salimando is analogous to the claimed signal control point. To support this assertion, column 3, line 15 of Salimando is cited. In column 3, line 15, Salimando teaches that the database 40 may be a network control point (NCP). However, in this same passage, Salimando also teaches that the database 40 stores conventional telephone numbers of a called party 80 and corresponding identification information about called party 80. As such, the database 40 of Salimando functions as both a database and a control point. Therefore, the database 40, acting as both database and control point, is part of the data path between the database, the announcement system 30, and the calling party 70. It is acknowledged within the Office Action that Salimando fails to disclose a signal control point that is independent of the database.

It is stated within the Office Action, that Tessler discloses a signal control point that is independent of the database, and that it would have been obvious to one of ordinary skill in the art to modify Salimando with a system wherein the signal control point is independent of the database as taught by Tessler. The Applicants respectfully disagree with this conclusion.

Tessler explicitly teaches a system to display information on a customer premises equipment (CPE), as substantiated by the title of Tessler, "Delivery Of Display Information To The Caller In An Advanced Intelligent Network." The system of Tessler requires a new generation CPE capable of displaying information and display software loaded onto the local central office. The display software includes a CPE display manager 202 and CPE interface 201 (Tessler, Figure 1) to control the format and delivery of the information supplied to the CPE 105

(Tessler, col. 7, lines 28-30). Clearly, the display software is specifically designed for displaying information.

There is no hint, teaching or suggestion within Tessler to integrate its control functionality, as related to displaying information, within an audio confirmation system, as suggested in the Office Action. Tessler very clearly and explicitly teaches a system for **displaying** information. Visual display and audio conversions, such as using text-to-speech converters, are very different technologies. The display system of Tessler is explicitly designed to display information. In addition to the aforementioned new generation CPE including display and the local central office display software including the CPE display manger and the CPE interface software, Tessler teaches a response processor to provide the local central office display software with the information to be displayed and the format (Tessler, col. 4, lines 48-55), and the display software uses a signaling path between the local central office and the CPE to deliver the display information to the caller (Tessler, col. 4, lines 56-58). Tessler does not teach, or even suggest, a mechanism by which the display information is converted to speech and audibly presented to the caller.

Within the Office Action, it is stated that it would be obvious to one skilled in the art to modify Salimando with the control functionality of Tessler. The Applicants contend that even if such an integration is within the scope of Tessler, which it is not, such an integration is not obvious. Salimando is directed to audio conversion systems and Tessler is directed to video display systems. It is only through hindsight, that is, having knowledge of the Applicants' invention, that led to the combination as suggested within the Office Action. But for this knowledge, the combination as such would not have occurred to the Examiner, as it did not occur to those skilled in the art to make the asserted combination. In other words, the combination proposed within the Office Action is being made only in light of knowledge of the Applicants' disclosure.

Additionally, Salimando specifically teaches that the database 40 maintains routing and processing information in order "to control operation of switching system 20", and that the data base 40 "may be a network control point (NCP)" (Salimando, col. 3, lines 11-15). In fact, column 3, line 15 was explicitly cited in the Office Action mailed on May 20, 2004, to overcome the Applicants' assertion in the Amendment and Response to Office Action, which was mailed by the Applicants on July 20, 2004, that Salimando does not teach a control point that is

independent of a call routing path. As cited, the database 40 of Salimando is a control point. However, the present claims are directed to a control point that is independent of a call routing path and also independent of a data path between a calling party, a database, and a text to speech converter. Within the current Office Action, it is acknowledged that Salimando fails to disclose that the signal control point is independent of the database 40. It is further stated within the Office Action that Tessler does disclose this limitation. However, such a statement is in direct conflict with the earlier assertion that Salimando teaches a control point, where the control point is the database 40. It is not possible that the control point is the database 40 (as taught in Salimando and asserted within the Office Action on page 2, last 2 lines) and that the control point is also independent of the database 40 (as asserted within the Office Action on page 3). The proposed combination depends on conflicted reasoning, and is therefore not proper.

Further, Salimando teaches that control is asserted by the database 40 (Salimando, col.3, lines 11-14 and lines 40-46). Since control is performed by the database 40, the system of Salimando fails to teach a signal control point that is independent of the database, as claimed in the present application. There is no hint, teaching, or suggestion within Salimando that indicates control can be achieved by a network device other than the database 40. Therefore, even if the control functionality of Tessler is combined with the network of Salimando, which the Applicant contends is not proper as discussed above, such control as taught by Tessler must reside in the database 40, as dictated by the teachings of Salimando. However, the cited control functionality of Tessler is directed to a control point that is allegedly independent of the database. Once again, the proposed combination results in a conflict. The teaches of Salimando specifically state that control is maintained by the database, but the cited control functionality of Tessler is specifically cited within the Office Action for its independence from the database. To avoid this conflict, the control functionality, of Tessler must be performed by the database of Salimando. As such, the proposed combination, which dictates that the control functionality of Tessler must be performed by the database of Salimando, does not teach a control point that is independent of a data path between the calling party, the database, and the text to speech converter, as claimed.

In summary, there lacks motivation to combine Tessler with Salimando, the cited combination of Salimando with Tessler is conflicted and not feasible, and the cited combination of Salimando and Tessler does not teach the claimed limitation of a signal control point independent of a data path between a calling party, a database, and a text to speech converter.

The independent Claim 1 is directed to an audible confirmation system in an Intelligent Network for allowing a calling party to audibly hear an audible name of a call recipient. The audible confirmation system comprises a database configured for storing a plurality of text names wherein each of the plurality of text names is associated with a unique identifier, a signal control point coupled to the database, the signal control point independent of a call routing path and independent of a data path between the calling party, the database, and a text to speech converter, and configured to control the retrieval of a select one of the plurality of text names in response to a call initiated by the calling party directed to the unique identifier, and the text to speech converter coupled to the control point and configured to convert the selected one of the plurality of text names into the audible name. As discussed above, there lacks motivation to combine Tessler with Salimando, the cited combination of Salimando and Tessler is conflicted and not feasible, and the cited combination of Salimando and Tessler does not teach a signal control point independent of a data path between a calling party, a database, and a text to speech converter. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 1 is allowable over the teachings of Salimando in view of Tessler and as such is an allowable base claim.

Claims 2 and 3 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claims 2 and 3 are each also allowable as being dependent upon an allowable base claim.

The independent Claim 4 teaches a method of allowing a calling party to audibly identify a call recipient. The method of Claim 4 includes initiating a call from the calling party directed to an identifier belonging to the call recipient, matching the identifier to a text name corresponding to the recipient within a database by a signal control point independent of a call routing path and independent of a data path between the calling party, the database, and a text to speech converter, retrieving the text name of the recipient from the database, converting the text name of the call recipient to an audible name, and audibly playing the audible name of the call recipient to the calling party prior to connecting the call. As discussed above, there lacks motivation to combine Tessler with Salimando, the cited combination of Salimando and Tessler is conflicted and not feasible, and the cited combination of Salimando and Tessler does not teach a signal control point independent of a data path between a calling party, a database, and a text to speech converter. For at least these reasons, the Applicants respectfully submit that the subject

matter of the independent Claim 4 is allowable over the teachings of Salimando in view of Tessler and as such is an allowable base claim.

Claims 5 and 6 are each dependent upon the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claims 5 and 6 are each also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler, and further in view of U.S. Patent No. 6,078,655 issued to Fahrer et al. (hereinafter “Fahrer”). The Applicants respectfully traverse this rejection.

Claim 7 is dependent on the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claim 7 is also allowable as being dependent on an allowable base claim.

Within the Office Action, Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler and Fahrer, in further view of U.S. Patent No. 6,650,737 issued to Finnigan. The Applicants respectfully traverse this rejection.

Claim 8 is dependent on the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claim 8 is also allowable as being dependent on an allowable base claim.

Within the Office Action, Claims 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finnigan in view of Salimando combined with Tessler. The Applicants respectfully traverse this rejection.

The independent Claim 9 is directed to a method of allowing a calling party to audibly identify a call recipient. The method comprises pre-recording a voice message by the calling party directed toward an identifier belonging to the call recipient, matching the identifier to a text name corresponding to the call recipient by a signal control point independent of a call routing path and independent of a data path between the calling party, a database, and a text to speech converter, wherein the identifier and the text name are stored within the database, converting the text name of the call recipient to an audible name, and audibly playing the audible name of the

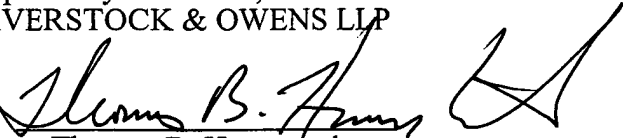
recipient to the calling party. As discussed above, there lacks motivation to combine Tessler with Salimando, the cited combination of Salimando and Tessler is conflicted and not feasible, and the cited combination of Salimando and Tessler does not teach a signal control point independent of a data path between a calling party, a database, and a text to speech converter. Within the Office Action, it is stated that Finnigan is cited for disclosing pre-recoding a voice message by the calling party directed toward an identifier and audibly playing the audible name of the recipient to the calling party. Finnigan does not teach matching the identifier to a text name by a signal control point, where the signal control point is independent of a call routing path. Therefore, neither Finnigan, Salimando, Tessler, nor their combination teach a signal control point independent of a call routing path and independent of a data path between the calling party, the database, and a text to speech converter. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 9 is allowable over the teachings of Finnigan, Salimando, Tessler, and their combination, and as such is an allowable base claim.

Claims 10-14 are dependent on the independent Claim 9. As discussed above, Claim 9 is allowable over the teachings of Finnigan, Salimando, Tessler, and their combination. Accordingly, Claims 10-14 are each also allowable as being dependent on an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

By:


Thomas B. Haverstock
Reg. No. 32,571
Attorneys for Applicants

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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HAVERSTOCK & OWENS LLP

Date: 1-24-05 By: 